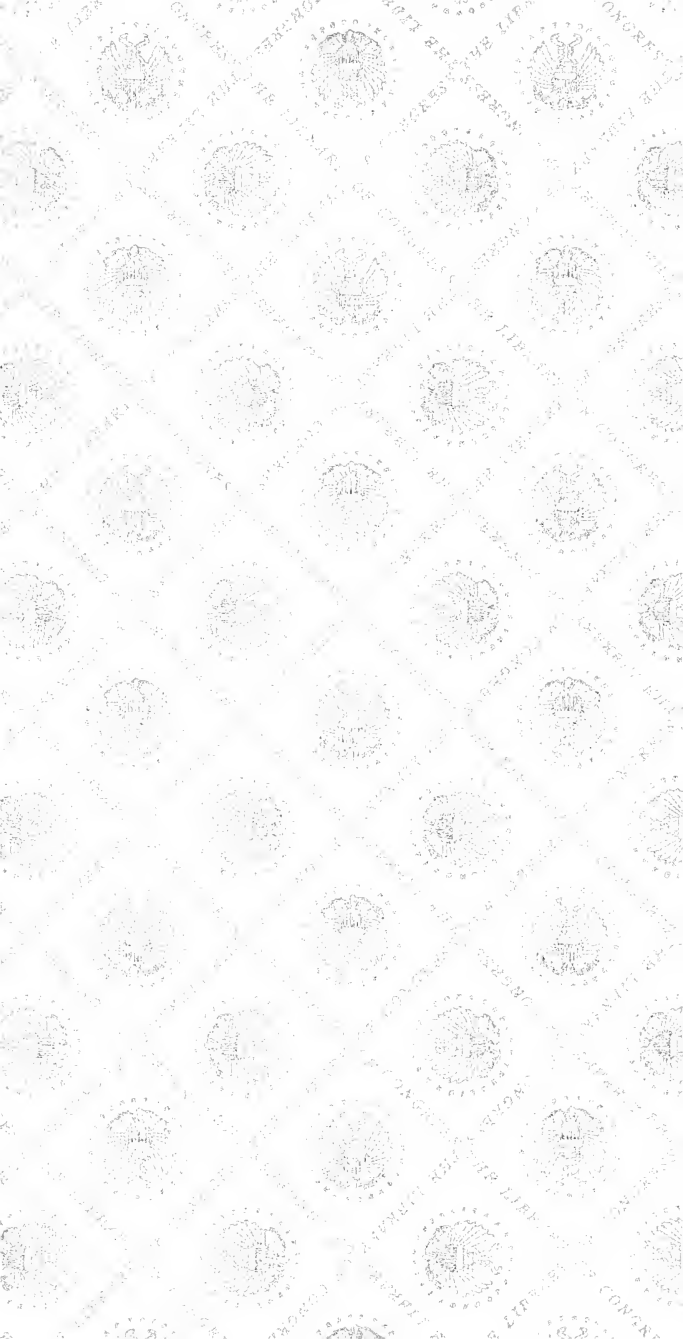


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CIVIL WAR FROM AN ABSURDITY.

THE SOUTH
WRONG IN THIS WAR.

THE NORTH
WRONG WITH REGARD TO SLAVERY AND AS TO THE
PRINCIPLES OF OUR GOVERNMENT.

•••
The United States
NEITHER MONSTER NOR MONGREL,
BUT A PURE
FEDERAL REPUBLIC.

•••
A PLEA
FROM THE YOUNG WEST, THE GIANT OFFSPRING OF UNION, FOR THAT UNION
AND FOR OUR FEDERAL GOVERNMENT AS INSTITUTED BY
OUR HONORED FATHERS.

By J. S. WRIGHT.

“LET WELL ENOUGH ALONE.”



CHICAGO.

1862.

Individuals receiving this are desired to obtain speedily as possible what subscriptions they can, and remit the funds immediately to LEWIS A. SAYRE, M. D., 795 Broadway, New York City, with full directions how to forward the books.

They are then desired to send this circular and the subscription paper to some one who will take an interest in the work, in an adjacent town, for him to get Subscribers, and he to another, and so on, till the work is well distributed.

The work is put at the low price of \$4 for single copies, and it is hoped that many gentlemen will subscribe for 5 or 10 copies or more, for distribution, and for such the price is to be only \$3.

It is earnestly desired to have as many copies as possible in the hands of the people by the 4th of July. Orders will be filled in the order received, and it is believed that all coming to hand by the 20th or 25th of June can be supplied.

Though compelled to resort to subscriptions, the work will not be issued clandestinely. It is true to our Government, administered on the Federal basis. A copy of this circular is sent to President LINCOLN, and proof-sheets of the work, as fast as printed, will be mailed to him.

The design was to print in this form with Long Primer type, but the volumes would be thick and clumsy, and they will be changed to octavo and Small Pica Type.

TO
The Democracy
THIS HUMBLE WORK IS DEDICATED,

IN THE EARNEST BELIEF THAT IT CORRECTLY DELINEATES THE FORM, PRINCIPLES
AND OBJECTS OF OUR GOVERNMENT, AND ALSO

THE CAUSES OF DISUNION ;

AND WITH FULL CONFIDENCE THAT WHEN THE PEOPLE IN THE SOUTH
AND IN THE NORTH REALIZE THESE TRUTHS, THEY WILL WITH
ONE HEART DESIRE TO RIGHT THE WRONG

AND

REUNITE OUR COMMON COUNTRY.

HE who has abiding faith in the Principle of Self-Government—who would preserve Sovereignty in the People—is a DEMOCRAT, by whatever other party name he may be called. Such were most of our honored Fathers, and they organized their Governments with special reference to the safety of Popular Rights. Well apprehending the aggrandizing nature of Power, and fearing the loss of Sovereignty, as its strongest safeguard, they instituted this FEDERAL REPUBLIC.

As a simple Republic, all Authority confided to one set of officials, usurpations might be effected, whereas, to divide part to their State Governments, and part to their Federal Government, created weighty checks one upon the other. Their natural jealousy would cause each to watch, lest undelegated Power was stolen by its rival from the People ; and all Authority being conferred by written Constitutions, and the rest reserved to the SOVEREIGN PEOPLE, no mistake need be made.

Yet herein was the danger foreseen to lie. The Fathers dreaded lest Powers undelegated should be exercised, at first, perhaps, upon plausible and patriotic grounds, which would lead to more and more encroachments, till all Authority should have been absorbed, and Sovereignty transferred. The danger, too, was seen to lie in the Central Government. Large Powers must be given it to accomplish the purposes of Union, which correspondingly increased the danger. But they had, as they believed, ample protection in the State Governments.

and also in the fact, well understood, that no Power could be exercised, not authorized by the letter of the Constitution.

Such were the fears, however, of this untried Federal System, so loth were the People to entrust it with Power, that the first Constitution was soon found impotent for its purpose. A second was formed in 1787, on the same Federal principle, but modified in arrangement for the greater safety of the People. As more and important Powers must be delegated, a system of checks was created with which they had become familiar in their State Governments, the Powers being distributed to three separate and distinct Departments, special care being taken to guard against the Executive as most dangerous. This went into operation in 1789.

Most important was it that this great Central authority should be rightly started, and a kind Providence had preserved to us the FATHER OF HIS COUNTRY, under whose wise and judicious guardianship for eight years, no considerable encroachment was allowed, except, perhaps, one in the Bank of the United States, and another in territorial management. The principles of Republican Democracy had ruled.

But the succeeding Administration of Mr. ADAMS, inaugurated a different policy, operating upon the idea that we were a consolidated instead of Federal Republic. The high-handed usurpations of Congress—legitimate fruits of the prevalent belief—in enacting the Alien and Sedition Laws, aroused the DEMOCRACY to the danger of their liberties, and the Consolidists, miscalled Federalists, were swept from power.

The DEMOCRACY have almost continuously administered the Government, and mainly within constitutional limits, the chief errors being in territorial management. Our Country has had a career of prosperity unexampled in the world's history, and because of its being governed upon Federal principles as fixed by our Fathers. Wherein these have been swerved from, have difficulties and dissensions arisen. The error came into vogue that we were "partly national" as well as "partly federal," and some of the conscientious but fanatical people of the North, acting upon this notion, have created alienation

of feeling on the part of the South, till terrible war has resulted. This notion that we could be "partly federal, partly national"—that our Government is a monster—is herein shown to be impossible, and thence it follows that we are in *Civil War from an Absurdity*.

Having gradually lost sight of the principles and objects of Federalism, and dreading disunion as our greatest calamity, misconceptions of our Union have increased till many now affirm that these several States no longer are possessed of Sovereignty, and that the United States are a consolidated nation. This is the critical epoch in our history, and if we are to be saved, the DEMOCRACY must again save us.

Slow—awfully slow—are our leaders to discern the truth. President LINCOLN continues to believe that he can save his party and the Union too. He must send his party to its father, the Devil, or his Country goes to destruction. Nothing but the spirit of DEMOCRACY will preserve our Institutions in this crisis, and whoever will dare to resist it must be overborne and run under, as have been the other enemies of Federalism hitherto.

JEFFERSON DAVIS, *President of the Confederate States of America*, and the great majority of the South, would, I believe, to-day, favor reconstruction upon genuine Federalism. Of vital consequence is it to the North itself that we reestablish our Government on that basis; and if ABRAHAM LINCOLN, *President of the United States of America*, will refuse to lead the North back to these principles of our Fathers, let us go without him. But I have still faith, notwithstanding his strange management, that in this struggle he leads the DEMOCRACY.

The DEMOCRACY of the North are mainly carrying on this war, and with the holy purpose of preserving our Government and Union. They will have, too, the federal basis, and nothing else. The South, however, believe we are fighting to establish a consolidated Government, and the North and the Administration have given too much occasion for the belief.

We must fight the South as long as they choose, but let

them no longer labor under the gross delusion that the Northern DEMOCRACY, constituting the large majority of our people, wish to change, or will allow any change, from a federal to a consolidated Government. We are as strong Federalists as any in the South, and even a large part of the Republican party will be found to belong to the Democracy upon the day of trial.

When the South understands this truth, they will soon make propositions of peace and reunion, and not before. Because they believed the contrary, did they begin the War. This is a right and honorable course whereby the South and North can leave this dark and gloomy pathway of strife and bloodshed, and return into the bright and joyous sunshine of reunion, in which we have advanced in less than a century from being infant colonies, to be amongst earth's most powerful nations.

But "it is not in man that walketh to direct his steps." Our Fathers sought INFINITE WISDOM for direction, and so must we. ALMIGHTY GOD heard the prayers of our Fathers amid the perils of the Revolution, and gave us Union and Liberty. Again and again He listened to their supplication amid the discord and clashing interests in forming our Constitutions, and preserved our Union as the bulwark of our Liberty; and in all succeeding dangers and difficulties has He heard and answered our prayers. Let us now from South to North, from East to West, all through this one rich heritage of God, in these still more perilous days, in this fiercer, more vindictive, most terrific struggle,—let us all unite in calling upon that same God of our common ancestry, and again will He hear and save us, for He has promised, and He is faithful to His promises. Let us also repent of our ingratitude and other heinous sins against God, and of our wrongs to each other, right our wrongs as far as in our power, and guard well against such folly in future. This grandest experiment in Self-Government the world has ever witnessed, must not be jeopardized by disunion; and if preserved, it must be by the spirit of FEDERALISM and the efforts of the DEMOCRACY.

CHICAGO, 20th May, 1862.

J. S. WRIGHT.

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VOLUME II.

[The scarcity of works on international law, render it necessary to give lengthy extracts. Such extracts are usually given in an appendix, but are here put in Vol. II.]

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[VATTEL is largely quoted in Vol. I., and also other authors, showing clearly, with the other authorities, what Sovereignty is, what a State is, and its natural rights; and also what constitutes a Federal Republic. I have more or less examined nearly every American writer upon our Government, and not one that I have seen—not even Mr. CALHOUN—connects it properly with the established principles of the old authorities. Instead of following the clear and perfect system of PUFENDORF, &c., they have, for some inexplicable reason, followed Sir WILLIAM BLACKSTONE's lead, which has brought us into confusion, and even to civil war.]

CHAPTER II.

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[Showing the intention was to frame a Federal, not a Consolidated Government, and these are strengthened by extracts in Vol. I. from the debates in the State Ratifying Conventions, compiled by Elliot.]

CHAPTER III.

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[This standard authority is largely quoted from in Vol. II.]

CHAPTER IV.

BLACKSTONE'S ERRORS.

Extracts from JEREMY BENTHAM's *Fragment on Government*, and Hon. JAMES
WILSON's *Law Lectures* pages 50

[Judge Wilson, of the Supreme Court of the United States, was a delegate to the Constitutional Convention from Pennsylvania, and one of its most influential members. He and Mr. Bentham cut to pieces the nonsense of Blackstone, imitated by his followers—Story, Curtis, Wheaton and all those American writers that have so confused governmental principles.]

CHAPTER V.

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[Other extracts to make some 600 pages.]

INTRODUCTORY.

THE DUTY OF THE NORTH.

A Double Fight for Northern Union Men.

FOR what are we fighting? With the masses of the North, with loyal hearts still sympathizing in the South, the high and holy object is the maintenance of our Government—the perpetual Union of all these States.

That there are some among us who have ulterior and traitorous motives in the prosecution of this war, is not to be denied; but most assuredly, the abetting of any abolition schemes, or interference with slavery in any way, enters not into the plans of the great majority who with such alacrity and energy sustain the Government in its patriotic purposes. And in my judgment, it is quite time the Administration took distinct ground upon this question of slavery. Not only is it due alike to loyalists in the South, and conservatives in the North, to remove all fears that this war is to be made an abolition crusade; but it is also the surest, if not the only means of bringing this lamentable contest to an honorable conclusion.

This war must be prosecuted with our utmost power and vigor, and *must be made successful*. To this there is no honorable alternative. But with it must be clearly evinced a desire only to maintain the rightful authority of the Government, and that, too, as being federal, not consolidated; a determination in no way to interfere with the constitutional rights and institutions of the South; and a cheerful and magnanimous willingness to do what is just and expedient to satisfy the South, and even the mal-contented, notwithstanding their efforts to break up the Union.

This is not to be accomplished without a desperate struggle against northern as well as southern traitors. The true Union men of the North, have then a double fight on hand, to be

waged at one and the same time ; and the sooner this in the North begins, and the harder it is prosecuted, the sooner and easier can that in the South be ended.

To insure victory in this double conflict, there must be no weakening of union forces by division of sentiment and effort among ourselves. Only by mightiest exertions and entire concord between all true patriots, can the Union of these States be reëstablished. Let none of us by detestation of northern abolitionism, be led unduly to favor the South and yield to its treasonable schemes, for we thereby aid directly to accomplish the most cherished purposes of those fanatics in our midst, whom of all creatures we most hate and despise. Let us unitedly and heartily stand by the Government in this its hour of extreme peril, and while saving southern friends from the evils to which their leaders would bring them by disunion, at the same time destroy this accursed spirit of fanaticism that has become so rife in the North, and has aided most directly and powerfully to bring about this wretched condition of our country.

We have also to correct our errors as to the principles of our Government. We are nearly all led astray on this important question. Instead of acknowledging that we are federal and only federal, we have been gradually coming to believe that we are partly, and a good deal consolidated, and many affirm that we are so absolutely. We are not consolidated, never have been, and I trust never will be ; but these fanatics will have it that we are, that they may have a right to extirpate the sin and evil of slavery as they consider it.

This, too, is another point with regard to which northern conservatives must wage a war with these secessionists. They do not want our Government to be continued as a Federal Republic, because that puts a stop to their anti-slavery efforts, and they will prefer disunion to reconstruction upon the federal basis. A fierce and bitter conflict has to be waged here in the North before our Union can be reconstructed on the plan of our fathers ; and we had best contend for half a century than allow our system of Government to be changed. Southern extremists are not more hostile to our Union than

are these northern abolitionists, if slavery cannot be destroyed.

This truth has not been realized by MR. LINCOLN and many other conservative republicans, whose sole aim is to maintain our Union. It will be developed when the war comes to a close, and we begin to act like rational beings. They will then find who the real disunionists are. I firmly believe that the South was led into this war, because they supposed the North designed to overthrow federalism and consolidate these States into one, and that as soon as they are disabused of this impression, they will gladly cease the strife and reconstruct our Union, and I am equally firm in the belief that these northern radicals will be found bitter opponents of federal reunion.

Of the result of this conflict I have little apprehension unless it be procrastinated till Europe interferes. Federalism and Union will triumph.

We shall find in this examination, I trust, that we are a pure Federal Republic, and that departure from federal principles is the cause of all our difficulties. Sees the patriot, then, in our present imbroglio, any occasion to fear for the maintenance of our liberty? any cause of despondency as to the capacity of this people for self-government? any necessity to admit the federal principle to be a failure? Not at all. Finding as we shall that our institutions are based upon federalism, and that departure from its principles has led us into all this difficulty and war, we have but to retrace our steps, get back into the paths made by our fathers, and continue therein, to again enjoy the happiness and prosperity which have been immeasurably showered upon us for seventy years. This is the last and severest test of our republican institutions—of the worth of a Federal Republic. Our system was sufficient, when far more imperfect, to gain us our sovereignty, freedom and independence, when in infancy we had to struggle against an old and mighty government, and it has given a constant and

NEW YORK, June 7th, 1862.

DEAR SIR,—Professional duties prevent my calling to see you, and I therefore send a notice of a book that is being printed, for which I want your subscription.

This paper will explain the character of the work, and having heard parts of the MS. read, I take great interest in having it circulated. Till information of this kind is widely disseminated and made operative, we cannot look for peace and reunion.

Please send me your subscription for one or more copies, and mention it to your friends, and also mail this to some one you know in the country, in this or another State, and drop him a line urging him to get subscribers.

Very respectfully your obedient servant,

LEWIS A. SAYRE.

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The undersigned have paid for the number of copies of this work set against their names respectively, and desire them to be sent to the address as given:

Because this work sustains the South in the abstract right of Secession, no leading house will publish it, or even be at the trouble of looking into the merits of the argument. Being thus deprived of the accustomed channels in reaching the public, I am obliged to resort to subscriptions.

Tracing out the history of our Government, and connecting it with principles of international law, which is herein for the first time attempted, so far as I can discover, shows the people of each one of these States to be absolutely sovereign, possessed of illimitable, uncontrollable authority. Such a power cannot be denied the right of revoking powers simply delegated to the Federal Government, a mere agency like that of a State government, which the sovereign people alter at their will. If the best good of the State requires its powers to be revoked, it is not only the privilege, but the duty of the State to do it.

But the investigation shows further, that these greatest moral persons—these Sovereign States—are the more strongly beholden to observe their compacts, because honor and principle can alone control them, no superior authority being constituted over them,—that the South had no sufficient cause for present Secession,—that the Federal Government has done it no injury,—that the tantalizing wrong has come from individual States, which the Federal Government was powerless to

remedy,—that there was no adequate excuse for beginning the war at Sumter. The South is proven to be quite as much in the wrong as to the war, as if we could deny the right of Secession; and then it is shown further, that these States having the rights of individuals in a state of nature, and war having been unjustly begun upon us, we may rightly prosecute the war till the South return to reason, and are willing to reconstruct the Union on fair terms and on the federal basis—that the great North-West in particular can never listen to disunion, and will insist upon all proper guarantees being given to the South to protect them against fanatical interference in future.

The investigation also shows that while the South is altogether wrong in beginning the war, that they have had great provocation in our improper interference with slavery, and in the denial of their equal rights in the common territory, all of which originates in deserting the federal principle. Also, that they were led into the war by misunderstanding the designs and purposes of the North, which, instead of being corrected, whereby alone the South can be led to cease its warfare, have been strengthened by errors in the Administration.

The usurpations of the President are discussed, showing that he should not have exercised the powers of blockading the ports, increasing the army and navy, and suspending the writ of *Habeas Corpus*, but should at once have convened Congress, instead of delaying two months and a half—that the dread of our Fathers was the one-man power—executive usurpations—and that the checks which they created, have been cast aside by the Administration, and afford justification to the South in having withdrawn from a Union that had become consolidated instead of federal.

At the same time, these errors are shown to have resulted naturally from the erroneous teachings of governmental principles with which the whole North, and a large part of the South has become imbued; and the belief is expressed, which an acquaintance with the President of over a quarter of a century justifies me in confidently entertaining, that with his honesty and patriotism and sincere desire for reunion, he will be among the most zealous to right his wrongs, and will be found with the Democracy as their leader or otherwise, in returning to the paths of Federalism. I have yet an earnest hope that President LINCOLN'S efforts to restore the Union and secure forever to the South all its constitutional rights, will cause even that section to take the lead in placing him again in the Executive chair. The history of the world has furnished no opportunity for man to make of himself a second WASHINGTON, and I have strong hope Mr. LINCOLN will be found equal to the emergency. But if not, the Democracy can and must do their best to save their country from the dangers of anarchy.

Federalism, too, is shown to be defective in its—(1) that it is the only system practicable in a Democratic Republic of wide extent.

Not only is there every acknowledgment as to the merits of the government, most of the world has been read to an editor of a prominent Republican newspaper, who says the views are new, and he does not see how they are to be controverted. And my friend, Hon. HENRY F. CHASE, has done me the kindness to read a large part of the MS, and though not asserting to all my views, he says, "it is the best exposition of the principles of our Government he has ever seen," and that it will do great good by and by, but considers its immediate publication to be premature. Other friends, however,

advise it be now issued, and are advancing funds to print the work while the subscriptions are in progress.

Another gentleman of eminence, both in the political and literary world, whose name I do not feel at liberty to use, though I have not asked it, did me the favor to hear most of the argumentative part of the MS. read, and considers it new and cogent, but deprecates the assaults upon his friends, Messrs. EVERETT and MOTLEY; whereas it appears to me they have not got half what they deserve.

HON. CHARLES O'CONOR favors me with the following note:—

“ ‘ *Civil War from an Absurdity*, by J. S. Wright.’ ”

“ I have read in manuscript an Address to the Democracy, intended to be prefixed to this work, and have carefully examined the table of contents. In the latter I find developed sufficiently, for the present purpose, Mr. WRIGHT's line of argument, and the general nature and tendency of the entire text. Without expressing a concurrence in all the views advanced, I have no hesitation in recommending the work to patronage and general perusal.

(Signed)

“ CH. O'CONOR.

“ New York, May 27th, 1862.”

I had hoped this eminent lawyer would be able to examine critically my arguments and correct errors, but professional engagements prevent. His favorable opinion is the more esteemed from his having done me the kindness to hear my paper read last autumn, when prepared for a newspaper; and though it has since swelled to two volumes, the line of argument is the same.

It would seem that information of this character, which is a necessary prelude to peace and restoration of the Union, cannot be too soon disseminated. The North must understand the character of our Government, and the desirableness of Federalism, and we must express our determination to re-

store the Union upon the basis of our Fathers. This done, the South will cease its war.

Even now, as I write, comes the account of the interview at Corinth with Hon. JACOB M. THOMPSON. They think the whole North is abolitionized and determined to carry out the principles of consolidation in exterminating slavery. They know full well that on the basis of a Federal Union, the Government is powerless to interfere with slavery, and therefore, if we only declare our determination to maintain our Union as a Federal Republic, they will at once end the war so abhorrent to them.

J. S. WRIGHT.

New York, 7th June, 1862.



